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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/608,187	06/30/2003	Hume II Back	054358-5097	8785
9629 7590 10/08/2008 MORGAN LEWIS & BOCKIUS LLP 1111 PENNSYLVANIA AVENUE NW WASHINGTON, DC 20004				
EXAMINER				
PIZIALI, JEFFREY J				
ART UNIT		PAPER NUMBER		
2629				
MAIL DATE		DELIVERY MODE		
10/08/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Advisory Action  
Before the Filing of an Appeal Brief**

**Application No.**

10/608,187

**Applicant(s)**

BAEK ET AL.

**Examiner**

JEFF PIZIALI

**Art Unit**

2629

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 22 September 2008 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**NOTICE OF APPEAL**

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

**AMENDMENTS**

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because:  
a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);  
b) ☐ They raise the issue of new matter (see NOTE below);  
c) ☒ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: \_\_\_\_\_.  
Claim(s) objected to: \_\_\_\_\_.  
Claim(s) rejected: 1,2,9,10 and 12.  
Claim(s) withdrawn from consideration: 4,5,7,8,13 and 14.

**AFFIDAVIT OR OTHER EVIDENCE**

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

**REQUEST FOR RECONSIDERATION/OTHER**

11. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: \_\_\_\_\_.  
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). \_\_\_\_\_  
13. ☐ Other: \_\_\_\_\_.

/Jeff Piziali/  
Primary Examiner, Art Unit 2629

Continuation of 3. NOTE:

The Applicant is thanked for the Amendment (filed 22 September 2008).

However, if entered, the Applicant's proposed claim amendment(s) in the Amendment (filed 22 September 2008) would newly introduce at least the limitations:

"An electric field alignment method of a ferroelectric liquid crystal display device including a liquid crystal panel having a plurality of data lines, a plurality of gate lines and a plurality of thin film transistors arranged in a zigzag configuration between adjacent data lines of the data lines and having a ferroelectric liquid crystal material, comprising: supplying a gate voltage at a level greater than a threshold voltage of the thin film transistors during an electric field alignment of the ferroelectric liquid crystal material to the plurality of gate lines, the electric field alignment of the ferroelectric liquid crystal material is performed in a period that the ferroelectric liquid crystal material is transitioned from a nematic phase to a smectic phase, wherein the gate voltage is supplied to the gate lines in a range of from ten to four-hundred times during the electric field alignment of the ferroelectric liquid crystal material inverting a polarity of a data voltage for the electric field alignment every time when the gate voltage is supplied to the gate lines and supplying the inverted data voltage for the electric field alignment to the data lines, wherein an electric field generated from the inverted data voltage is applied to the ferroelectric liquid crystal material by using a leakage current of the thin film transistors" to independent claim 1.

"A ferroelectric liquid crystal display device, comprising: a liquid crystal panel having a plurality of data lines a plurality of gate lines and a plurality of thin film transistors arranged in a zigzag configuration between adjacent data lines of the data lines and having a ferroelectric liquid crystal material a gate driving circuit for supplying a gate voltage to the plurality of gate lines, the gate voltage set at a level above a threshold voltage of the thin film transistors during an electric field alignment of the ferroelectric liquid crystal material, the electric field alignment of the ferroelectric liquid crystal material is performed in a period that the ferroelectric liquid crystal material is transitioned from a nematic phase to a smectic phase, wherein the gate voltage is supplied to the gate lines in a range of from ten to four-hundred times during the electric field alignment of the ferroelectric liquid crystal material; and a data driving circuit for inverting a polarity of a data voltage for the electric field alignment every time when the gate voltage is supplied to the gate lines and supplying the inverted data voltage for the electric field alignment to the data lines, wherein an electric field generated from the inverted data voltage is applied to the ferroelectric liquid crystal material by using a leakage current of the thin film transistors" to independent claim 9.

Such limitations if incorporated into present claim language would dramatically alter inventive scope of the claims, requiring additional search and consideration. Due to the proposed amendments not being entered, Applicant's arguments are not commensurate in scope with the current claims.

By such reasoning, non-entry of the proposed Amendment (filed 22 September 2008) is deemed proper and necessary at this time.

/Jeff Piziali/

Primary Examiner, Art Unit 2629

26 September 2008